

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
ASBESTOS LITIGATION

JOHN & PATRICIA MEHALICK,

Plaintiff(s),

vs.

3M COMPANY, et al

Defendant(s).

Docket No: L-1-16 (AS)

Civil Action

CASE MANAGEMENT ORDER I

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on June 1, 2016:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	William Kuzmin	Plaintiff(s)
Caruso Smith	Stacey Lee Trien	CertainTeed; Union Carbide
Day Pitney	Naju Lathia	International Paper Co.
Dickie McCamey	Michael Willison	84 Lumber
Eckert Seamans	Stephanie Coleman	AO Smith Water Products
Goldfein & Joseph	Madhurika Jeremiah	ACL; Bell
Hoagland Longo	Jillian Madison	Kohler Co.
Kent McBride	Christopher Devanny	ECR/Dunkirk/Utica
Lavin O'Neil	Catherine Brunermer	3M Company
Lynch Daskal	Andrew Mundo	Georgia Pacific
McElroy Deutsch	Michelle Hydrusko	Burnham; Benjamin Moore
McGivney Kluger	Marvin Blakely	Weil McLain; DAP
O'Toole Fernandez	Gary Van Lieu	Somerville Lumber
Pascarella DiVita	Madelyn Iulo	Trane US Inc.; Rheem Mfg.

IT IS on this 2nd day of June, 2016, *effective from the conference date*;

ORDERED as follows:

Counsel receiving this Order through computerized electronic medium (E-Mail) shall be deemed by the court to have received a copy of the filed original court document. Any document served pursuant to this Order shall be deemed to be served by mail pursuant to R.1:5-2.

Defense counsel shall notify plaintiff's counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

DISCOVERY

June 15, 2016 Plaintiff shall propound supplemental interrogatories and document requests by this date.

July 15, 2016 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

June 15, 2016 Defendants shall propound supplemental interrogatories and document requests by this date.

July 15, 2016 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

September 16, 2016 Fact discovery, including depositions, shall be completed by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if all fact discovery is not completed.

September 16, 2016 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

September 19, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

September 16, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

September 30, 2016 Summary judgment motions shall be filed no later than this date.

October 28, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

August 15, 2016 Plaintiff shall serve medical expert reports by this date.

December 16, 2016 Defendants shall identify its medical experts and serve medical reports, if any, by this date. **In addition, defendants shall notify plaintiff's counsel (as well as all counsel of record) of a joinder in an expert medical defense by this date.**

LIABILITY EXPERT REPORTS

October 31, 2016 Plaintiff shall identify its liability experts and serve liability expert reports or a certified expert statement by this date or waive any opportunity to rely on liability expert testimony.

December 16, 2016 Defendants shall identify its liability experts and serve liability expert reports, if any, by this date or waive any opportunity to rely on liability expert testimony.

ECONOMIST EXPERT REPORTS

October 31, 2016 Plaintiff shall identify its expert economists and serve expert economist report(s), if any, by this date or waive any opportunity to rely on economic expert testimony.

December 16, 2016 Defendants shall identify its expert economists and serve expert economist report(s), if any, by this date or waive any opportunity to rely on economic expert testimony.

EXPERT DEPOSITIONS

December 30, 2016 Expert depositions shall be completed by this date. To the extent that plaintiff and defendant generic experts have been deposed before, the parties seeking that deposition in this case must file an application before the Special Master and demonstrate the necessity for that deposition.

To the extent possible, documents requested in a deposition notice directed to an expert shall be produced three days in advance of the expert deposition. The expert shall not be required to produce documents that are readily accessible in the public domain.

PRE-TRIAL AND TRIAL

December 6, 2016 @ 10:00am Settlement conference. All defense counsel shall appear with authority to negotiate settlement and have a representative authorized to negotiate settlement available by phone. Any request to be excused from the settlement conference shall be made to the Special Master no later than 4:00pm of the day prior to the conference.

10 business days prior to trial Pretrial Information Exchange Form due.

January 30, 2017 **Trial-Ready** Date.

Plaintiff(s) counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.

/s/ Ana C. Viscomi
ANA C. VISCOMI, J.S.C.

cc: counsel:

Richard V. Jones, Esq. *for Metropolitan Life*

cc: Clerk, Mass Tort